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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,118	06/27/2003	Jeanne Bedford	HBD.P.1100	9244

7590 09/26/2007
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EXAMINER

AZAD, ABUL K

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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09/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/609,118

Applicant(s)

BEDFORD ET AL.

Examiner

ABUL K. AZAD

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on July 9, 2007.
2. Claims 1-36 are pending in this action. Claims 1 and 19 have been amended.
3. The applicant's arguments with respect to claims 1-36 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant arguments or comments, see the detailed discussion in the Response to the Arguments section.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6, 16-24 and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Bullister (US 6,151,012).

As per claim 1, Bullister teaches, "communication and learning device comprising":

"a first panel having opposite facing sides and carrying a plurality of indicia-bearing units on one of said opposite facing sides" (element 112);

"a second panel having opposite facing sides, said second panel housing a display screen on one opposite facing side" (element 410);

“a third panel having opposite facing sides and carrying a keyboard having a plurality of keys on one of the opposite facing sides” (element 114);

“wherein said first, second and third panels are pivotably engaged to one another along a common edge of said device” (Fig. 27); and

“means for generating a perceptible output in response to an input from said indicia-bearing units” (inherent in a portable computer).

As per claim 2, Bullister teaches, “wherein said side of said second panel opposite of said side housing said display screen carries a plurality of indicia-bearing units” (col. 10, lines 41-51 and Fig. 27).

As per claim 3, Bullister teaches, “wherein the indicia-bearing units are raised, depressible buttons” (col. 10, lines 41-51, Fig. 27).

As per claim 4, Bullister teaches, “wherein each of said indicia-bearing units are in electronic connection with said perceptible output generating means” (col. 10, lines 41-55, Fig. 10).

As per claim 5, Bullister teaches, “wherein the perceptible output generating means is selected from the group consisting of an audibly perceptible output generating means, visually perceptible output generating means or both” (col. 10, line 41 to col. 11, line 13, Fig. 27).

As per claim 6, Bullister teaches, “wherein said visually perceptible output generating means is a source of visible light” (col. 10, line 41 to col. 11, line 13).

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As per claim 16, Bullister teaches, "wherein said keys of said keyboard bear a letter of an alphabet, a numeral, a punctuation mark or a command" (col. 10, line 41 to col. 11, line 13).

As per claim 17, Bullister teaches, "wherein said keys of said keyboard bear a letter of an alphabet, a numeral, a punctuation mark, or a command" (col. 10, line 41 to col. 11, line 13).

As per claim 18, Bullister teaches, "further comprising a power supply to provide power to said device" (col. 10, line 41 to col. 11, line 13).

As per claims 19-24 and 34-36, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-6 and 16-18, because of similar scope of the claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-15 and 25-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullister (6,151,012) as applied to claims 5 and 23 above, and further in view Baker et al. (US 5,097,425).

As per claims 7-9 and 25-27, Bullister does not explicitly teach wherein output-generating means is a sound synthesizer. However, Baker teaches a sound synthesizer

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(elements 10 and 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a sound synthesizer output because one ordinary skill in the art would readily recognized that would provide a better communication means to user.

As per claims 10-15 and 28-33, Bullister does not explicitly teach wherein at least one of said indicia-bearing units includes indicia thereon selected from the group consisting of a word and a graphic and has a translation capability into a second language. However, Baker teaches, wherein at least one of said indicia-bearing units includes indicia thereon selected from the group consisting of a word and a graphic and has a translation capability into a second language (col. 4, line 10 to col. 6, line 46). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Bakers indicia-bearing unit into one of Bullister's multitasking keyboards because Baker teaches his input device provide a quick and effective input system easy for a user to utilized (col. 2, lines 22-26).

Response to Arguments

8. The applicant argues that Bullister does not disclose a pivot point along a common edge of the device, amended claims 1 and 19 are not anticipated by this reference".

The examiner disagrees with the applicant's above assertion because Bullister's Figure 27 teaches the amended claims limitations and are anticipated by the Bullister's reference.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Patric Edouard**, can be reached at **(571) 272-7603**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

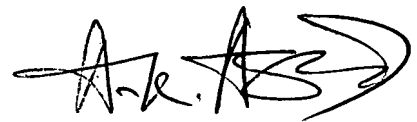
Alexandria, VA 22313-1450

Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 24, 2007

A handwritten signature in black ink, appearing to read 'Abul K. Azad', with a large, stylized flourish extending to the right.

Abul K. Azad
Primary Examiner
Art Unit 2626